

NEW PAGE 1 - marked up copy

SKYLIGHT FLASHING

This is a continuation-in-part of U.S. Patent No. 6,035,593, filed July 30, 1998 and incorporated herein by reference.

5

FIELD OF THE INVENTION

The present invention relates generally to tubular skylights, and more particularly to roof-mounted flashings.

BACKGROUND

Tubular skylights have been provided for illuminating rooms inside buildings with natural light. Not only do tubular skylights thus save electricity and, concomitantly, are environmentally benign, but they illuminate rooms in a pleasing way using natural sunlight instead of 60 cycle electric light. An example of a commercially successful tubular skylight is disclosed in U.S. Patent No. 5,099,622, assigned to the same assignee as the present invention and incorporated herein by reference.

A tubular skylight includes a roof-mounted, dome-like transparent cover. The cover is mounted on the roof of a building by means of a flashing. An internally reflective tube depends downwardly from the flashing to the ceiling of the room sought to be illuminated, and the bottom of the tube is covered with a disk-shaped light diffuser that is positioned at the ceiling.

A roof-mounted flashing typically includes a curb, the top of which is covered by the dome and the bottom of which engages a downwardly-dependng skylight tube. A flat skirt is typically formed around the bottom of the curb, with the skirt extending radially away from the curb. The skirt is fastened to the roof such that the flashing provides an upper support for the skylight.

C. Objection to the Specification under 37 C.F.R. § 1.71

Petitioner maintains that there is no provision in 37 C.F.R. §1.71 for law interpretations for the paragraph on pages 12-13 of the specification proscribing the claims from being construed under 35 U.S.C. 112, 6th paragraph.

A review of the 37 C.F.R. §1.71 reveals that such request to delete from the specification the paragraph proscribing the interpretation of the claims under 35 U.S.C. 112, 6th is not supported by the cited section of the MPEP.

Petitioner is free to make statements regarding patent laws. Petitioner's statements, however, will have no bearing on the Examiner's obligation to apply the laws as required in the patent examining guidelines and the controlling case law. Examiner's objection to the specification is overruled, and it is hereby **WITHDRAWN**.

Accordingly, the Petition is **GRANTED-IN PART**.

CONCLUSION

The Examiner is directed to withdraw the aforementioned objections to the drawings and the specification, and is specifically directed to mention such withdrawal in the next Office communication.

The application is being forwarded o the Examiner to issue an appropriate action in compliance with the guidelines set out above.

Any request for reconsideration must be filed within two months of the mailing date of this decision.

Inquiries with respect to this decision may be directed to Pinchus M. Laufer at (703) 306-4160.

Pinchus M. Laufer
Pinchus M. Laufer
Special Programs Examiner
Technology Center 2100
Computer Security, Architecture, and Software
(703) 306-4160